

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
LAWRENCE L. FINKELMAN,

Plaintiff,

-v-

NEW YORK STATE POLICE, UNKNOWN
GOVERNMENT ENTITIES - JOHN DOE'S -
JANE DOE'S 1-100,

Defendants.
----- X

06 Civ. 8705 (JSR)

ORDER


USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>3-26-08</u>

JED S. RAKOFF, U.S.D.J.

On February 11, 2008, the Honorable Kevin Nathaniel Fox, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending the dismissal of the complaint with prejudice against the remaining defendants in this case, Government Entities - John Doe's - Jane Doe's 1-100, because plaintiff had failed to timely serve them. Subsequently, on February 25, 2008, plaintiff submitted objections to the Report and Recommendation. Accordingly, the Court has reviewed the underlying record de novo.

Having done so, the Court finds itself in complete agreement with Magistrate Judge Fox's Report and Recommendation and hereby adopts its reasoning by reference. The Court certifies that any appeal from this Order would not be taken in good faith, as plaintiff's claim lacks any arguable basis in law or fact, and therefore permission to proceed in forma pauperis is denied. See 28 U.S.C. § 1915(a)(3); see also Seimon v. Emigrant Savs. Bank (In re Seimon), 421 F.3d 167, 169 (2d Cir. 2005). Clerk to enter judgment.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
March 25, 2008